

**Date of most recent action: September 10, 2014**

### **Convention Providing a Uniform Law on the Form of an International Will**

Done: Washington; October 26, 1973

In accordance with Article IX, paragraph 1, the Convention was open for signature at Washington from October 26, 1973, until December 31, 1974.

Entry into force: February 9, 1978

In accordance with Article XI, the Convention entered into force six months after the date of deposit of the fifth instrument of ratification or accession with the Depositary Government [United States of America]. In the case of each State which ratifies this Convention or accedes to it after the fifth instrument of ratification or accession has been deposited, this Convention shall enter into force six months after the deposit of its own instrument of ratification or accession.

In accordance with Article X, the Convention shall be open indefinitely for accession.

**Notes:** The Republic of China signed the Convention on October 27, 1973. Effective January 1, 1979, the United States recognized the People's Republic of China as the sole legal government of China.

The Czechoslovak Socialist Republic (Czechoslovakia) signed the Convention on December 30, 1974.<sup>1</sup> On December 31, 1992, at midnight, Czechoslovakia ceased to exist and was succeeded by two separate and independent states, the Czech Republic and the Slovak Republic.

**Legend:** (no mark) = ratification; **a** = accession; **d** = succession; **w** = withdrawal or equivalent action

<b>Participant</b>	<b>Signature</b>	<b>Consent to be bound</b>		<b>Other Action</b>	<b>Notes</b>
Australia		September 10, 2014	<b>a</b>		
Belgium	May 17, 1974	April 21, 1983			
Bosnia and Herzegovina		August 15, 1994	<b>d</b>		2
Canada		January 24, 1977	<b>a</b>		3
Croatia		May 18, 1994	<b>d</b>		4
Cyprus		October 19, 1982	<b>a</b>		
Ecuador	July 26, 1974	April 3, 1979			5
France	November 29, 1974	June 1, 1994			
Holy See	November 2, 1973				
Iran	October 27, 1973				
Italy		May 16, 1991	<b>a</b>		6
Laos	October 30, 1973				
Libya		August 4, 1977	<b>a</b>		
Niger		May 19, 1975	<b>a</b>		
Portugal		November 19, 1975	<b>a</b>		
Russian Federation	December 17, 1974				7
Sierra Leone	October 27, 1973				
Slovenia		August 20, 1992	<b>d</b>		8

United Kingdom	October 10, 1974			
United States	October 27, 1973			

<sup>1</sup> The signature by the Ambassador of Czechoslovakia was accompanied by a statement which reads as follows:

“The Government of the Czechoslovak Socialist Republic declares in respect of Article XIII of the Convention Providing a Uniform Law on the Form of an International Will, signed at Washington on 26 October, 1973, which entitles any State to declare that this Convention shall apply to the territories for the international relations of which it is responsible, that it is of the opinion that the preservation of the state of dependence of certain countries is in contradiction with the content and objective of the United Nations Declaration of 14 December, 1960, on the Granting of Independence to Colonial Countries and Nations, which declares the necessity of a quick and unconditional termination of colonialism in all its forms and manifestations.”

<sup>2</sup> Date of notification of succession to the Convention by Bosnia and Herzegovina. The former Socialist Federal Republic of Yugoslavia deposited an instrument of accession to the Convention on August 9, 1977.

<sup>3</sup> The instrument of accession to the Convention by Canada contains the following declaration:

“1. The Government of Canada declares that pursuant to Article XIV of the Convention, the Convention shall extend only to the provinces of Manitoba and Newfoundland.

“2. The Government of Canada further declares that it will submit, at any time after accession, other declarations, in conformity with Article XIV of the Convention, stating expressly the additional provinces to which the Convention shall extend, when such provinces have enacted the necessary implementing legislation.”

On March 15, 1978, the Government of Canada deposited with the Government of the United States of America a Declaration extending the Convention to the Province of Ontario, effective September 15, 1978.

On June 1, 1978, the Government of Canada deposited with the Government of the United States of America a Declaration extending the Convention to the Province of Alberta, effective December 1, 1978.

On April 8, 1982, the Government of Canada deposited with the Government of the United States of America a Declaration extending the Convention to the Province of Saskatchewan, effective October 8, 1982.

On September 22, 1994, the Government of Canada deposited with the Government of the United States of America a Declaration extending the Convention to the Province of Prince Edward Island, effective March 22, 1995.

On June 5, 1997, the Government of Canada deposited with the Government of the United States of America a Declaration extending the Convention to the Province of New Brunswick, effective December 5, 1997.

On November 27, 2000, the Government of Canada deposited with the Government of the United States of America a Declaration extending the Convention to the Province of Nova Scotia, effective May 27, 2001.

On September 30, 2013, the Government of Canada deposited with the Government of the United States of America a Declaration extending the Convention to the Province of British Columbia. The Declaration was accompanied by a diplomatic note from the Embassy of Canada stating Canada’s understanding that the Declaration takes effect on March 31, 2014.

<sup>4</sup> Date of notification of succession to the Convention by Croatia. The former Socialist Federal Republic of Yugoslavia deposited an instrument of accession to the Convention on August 9, 1977.

<sup>5</sup> The signature of the Convention by Ecuador was accompanied by the following statement, a Department of State English translation of which reads in pertinent part as follows:

“The Embassy of Ecuador is pleased to state that, as of this date [July 25, 1974], Ecuador authorizes all Notaries Public of the Republic to draw up internationally valid wills in its territory, in accordance with Ecuadorean laws.”

<sup>6</sup> By diplomatic note dated November 9, 1991, the Italian Embassy informed the Department of State of the following:

“With reference to the requisites of acceding countries as regards paragraph 4 of Article I and paragraph 2 of Article II of the Convention [Providing a Uniform Law on the Form of an International Will], the Embassy of Italy would like to inform that the international form for the will instituted by the foregoing Convention can be assimilated in Italy, insofar as basic characteristics, to the provisions of Articles 604 and 605 of the Italian Civil Code . . . on the form of private wills. As regards the Articles cited above and

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Article III of the Convention, the Embassy of Italy is pleased to state that in Italy the following persons are authorized to receive the international will: in the national territory, Notaries; outside the national territory and host country laws permitting, diplomatic and consular agents.”

<sup>7</sup> The Convention was signed by the former Union of Soviet Socialist Republics with a declaration, a Department of State English translation of which reads as follows:

“The Union of Soviet Socialist Republics deems it necessary to state that the provisions of Article XIII of the Convention concerning the implementation by States of the Convention which Provides for a Uniform Law on the Form of an International Will in territories for the international relations of which they are responsible, are obsolete and contradict the Declaration of the U.N. General Assembly on granting independence to colonial countries and peoples (U.N. General Assembly Resolution 1514/XV of December 14, 1960), which proclaims the need to put immediately and unequivocally an end to colonialism in all its forms and manifestations.”

By a note dated January 13, 1992, the Russian Federation informed the United States Government that it “continues to perform the rights and fulfil the obligations following from the international agreements signed by the Union of Soviet Socialist Republics.”

<sup>8</sup> Date of notification of succession to the Convention by Slovenia. The former Socialist Federal Republic of Yugoslavia deposited an instrument of accession to the Convention on August 9, 1977.